



**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Birgit SCHLEIFENBAUM et al.

Confirmation No.: 8456

Application No.: 10/728,653

Group Art Unit: 1615

Filed: December 5, 2003

For: SEAMLESS FILLED CAPSULES

Attorney Docket No.: 3968.099

Customer Number: 000041288

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION, FILING DATE GRANTED**

**Mail Stop: Missing Parts**  
Commissioner for Patents  
P.O Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the Notice to File Missing Parts of Non-provisional Application, Filing Date Granted, dated December 7, 2004, (a copy of which is attached hereto), Applicant submits herewith:

1. The executed Declaration and Power of Attorney.

The Examiner is respectfully requested to acknowledge receipt of the above documents.

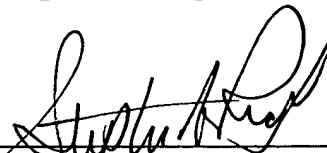
Applicants respectfully note that the executed Declaration and Power of Attorney was filed with the U.S.P.T.O. on March 30, 2004, but has evidently been misplaced by the U.S.P.T.O.

U.S. Application No.: 10/728,653  
RESPONSE TO NOTICE TO FILE MISSING PARTS

Attorney Docket: 3968.099

Submitted herewith is a copy of the Postcard. The Postcard is a proof that the U.S.P.T.O. received the document.

Respectfully submitted,

  
\_\_\_\_\_  
Stephan A. Pendorf

Registration No. 32,665

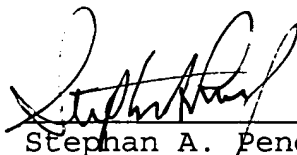
PENDORF & CUTLIFF  
5111 Memorial Highway  
Tampa, Florida 33634-7356  
(813) 886-6085

Date: **December 14, 2004**

**CERTIFICATE OF MAILING AND AUTHORIZATION TO CHARGE**

I hereby certify that a copy of the foregoing RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION, FILING DATE GRANTED, for U.S. Application No. 10/728,653 filed December 5, 2003, was deposited in first class U.S. mail, postage prepaid, addressed: Box: Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on **December 14, 2004**.

The Commissioner is hereby authorized to charge any additional fees which may be required at any time during the prosecution of this application, except for the issue fee, without specific authorization, or credit any overpayment, to Deposit Account No. 16-0877.

  
\_\_\_\_\_  
Stephan A. Pendorf



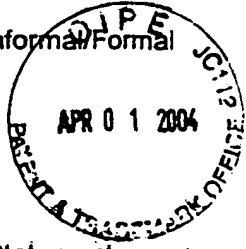
Packet No.: 3968.099 Serial No.: 10/728,US3 Filing Date: 12/5/03

Applicant: Birgit Schleifenbaum et al.

Title/Mark: Seamless Filled Capsules

THE MAIL ROOM STAMP BELOW ACKNOWLEDGES RECEIPT OF THE FOLLOWING DOCUMENTS ON THE DATE INDICATED ON THE MAIL ROOM STAMP.

- |   |   |
|---|---|
| <input type="checkbox"/> Appl'n for Patent/PCT with:      | <input type="checkbox"/> Appl'n for TM/SM with Drawing and _____                  |
| ___ pg of specification                                   | specimens of the mark   |
| ___ pg of Claims  | <input type="checkbox"/> Appl'n for Copyright Registration and _____              |
| ___ pg of Drawings Informal/Formal                        | deposits.   |
| ___ pg of Abstract  | <input type="checkbox"/> Request for _____ month Extension of Time                |
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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/728,653         | 12/05/2003             | Birgit Schleifenbaum  | 3968.099               |

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5111 Memorial Highway  
Tampa, FL 33634-7356

CONFIRMATION NO. 8456

## FORMALITIES LETTER



\*OC000000014685144\*

Date Mailed: 12/07/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*

Replies should be mailed to: Mail Stop Missing Parts  
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*A copy of this notice **MUST** be returned with the reply.*

213L  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

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